

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07

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FM AMEMBASSY KATHMANDU

TO SECSTATE WASHDC 8478

INFO AMEMBASSY NEW DELHI

C O N F I D E N T I A L KATHMANDU 2286

E.O. 11652: GDS

TAGS: PFOR NP

SUBJECT: FOREIGN MINISTER ARYAL ON INDO-NEPALI RELATIONS AND B.
P. KOIRALA

REF: KATHMANDU 2016

1. PURSUANT TO RECEIVING WORD THAT FOREIGN MINISTER ARYAL WOULD LIKE TO FOLLOW UP ON MAY WEEK MEETING REPORTED REFTEL, I CALLED ON HIM JUNE 6. ARYAL NOTED THAT SINCE WE HAD LAST TALKED PRIME MINISTER GIRI HAD MADE STRONG CRITICISMS OF INDIA IN HIS MAY 24 PRESS CONFERENCE (KATHMANDU 2151). ARYAL SAID HE WISHED TO TELL ME IN CONFIDENCE THAT HE HAD NOT APPROVED OF EVERYTHING GIRI HAD SAID, PARTICULARLY IN HIS REPLIES TO QUESTIONS, AND THAT HE THOUGHT GIRI COULD HAVE SIDESTEPED SOME OF THE QUESTIONS AND THEREBY AVOIDED MAKING SOME OF THE "LESS CONSIDERED" STATEMENTS. ARYAL SAID THAT HE HIMSELF FAVORED QUIET DIPLOMACY. HOWEVER, ONE GOOD APPARENT RESULT OF THE PRIME MINISTER'S REMARKS WAS PRIME MINISTER DESAI'S MAY 30TH STATEMENT ON GOI NON-INTERFERENCE IN NEPAL, WHICH ARYAL SAID HE WELCOMED.

2. ARYAL WENT ON TO SAY THAT HE BELIEVED THERE WERE THREE AREAS IN WHICH PROPER ACTION HAD TO BE TAKEN SOON. FIRST HE SAID, WAS RECOGNITION BY B.P. KOIRALA'S SUPPORTERS, CONFIDENTIAL

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INCLUDING THE INDIAN SOCIALIST, THAT THERE WAS NO SUBSTITUTE FOR THE MONARCHY IN NEPAL. HE WENT ON TO SAY THE THREE JUDGES HAVE FINISHED HEARING TESTIMONY IN THE B.P. KOIRALA CASE AND ARE NOW DELIBERATING ON THE VERDICT AND SENTENCE. HOWEVER, THERE IS A PROVISION IN THE CONSTITUTION FOR A ROYAL PARDON OF B.P., "EVEN IF THE DEATH SENTENCE IS IMPOSED",

IF HE ASKS FOR IT. THE SECOND AREA WHERE ACTION IS NEEDED, ARYAL SAID, IS TO MEET THE DISCONTENT WHICH HAS DEVELOPED WITH SOME OF THE PRACTICES OF THE BACK-TO-THE-VILLAGE CAMPAIGN, AND HE REITERATED THE COMMENTS HE HAD MADE PREVIOUSLY ABOUT WIDESPREAD UNHAPPINESS OVER ELECTIONS BY CONSENSUS. THE THIRD AREA WHERE ACTION WAS NEEDED, HE SAID, WAS IN PREVENTING "LEAKAGES AND SMUGGLING," BOTH OF WHICH WERE HARMFUL TO NEPAL'S DEVELOPMENT EFFORTS.

3. IN RESPONSE TO MY QUERY AS TO THE STATUS OF DISCUSSIONS ON THE TRADE AND TRANSIT TREATY, ARYAL SAID THERE WERE STILL SEVERAL OUTSTANDING ISSUES. ONE WAS NEPAL'S DESIRE FOR AN ACKNOWLEDGEMENT OF "A RIGHT OF TRANSIT". A SECOND WAS INDIA'S DESIRE TO IN EFFECT CONTROL IMPORTS INTO NEPAL IN ORDER TO REDUCE SMUGGLING INTO INDIA, AND NEPAL'S RESISTANCE TO AGREEING TO SUCH CONTROLS. A THIRD PROBLEM AREA WAS INDIA'S POSITION THAT NEPAL COULD NOT EXPORT TO INDIA FINISHED PRODUCTS MADE FROM IMPORTED RAW MATERIALS, WHICH NEPAL CONSIDERED AN UNDUE RESTRICTION ON ITS FREEDOM OF ACTION. A FOURTH AREA OF DISAGREEMENT WAS OVER THE LENGTH OF THE TREATY. NEPAL SAW NO NEED TO HAVE TO RENEW THE TRADE AND TRANSIT TREATY EVERY FIVE YEARS, AND WOULD LIKE TO HAVE A TREATY FOR AT LEAST 10 YEARS, IF NOT LONGER. DISCUSSIONS WERE TAKING PLACE FROM TIME TO TIME IN BOTH NEW DELHI AND KATHMANDU ON THESE MATTERS, BUT FORWARD MOVEMENT WAS BEING RETARDED BY "INDIAN BUREAUCRATS" IN THE EMBASSY IN KATHMANDU AND IN THE CENTRAL MINISTRIES IN NEW DELHI.

4. ARYAL THEN REVERTED TO HIS PERSONAL NON-APPROVAL OF
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SOME OF GIRI'S STRONGER COMMENTS, ADDING "IT IS SOMETIMES DIFFICULT TO BE FOREIGN MINISTER OF NEPAL", BUT CONCLUDED THAT HE THOUGHT "THINGS ARE GOING TO BE ALL RIGHT BETWEEN INDIA AND NEPAL".

5. COMMENT: ARYAL'S MAIN MESSAGE SEEMED TO BE TO SAY THAT SOME OF GIRI'S TOUGH REMARKS WERE HIS OWN AND DID NOT NECESSARILY HAVE THE PRIOR SANCTIONS OF THE PALACE. I ALSO TOOK IT THAT HE WAS ALERTING US TO THE POSSIBILITY THAT THE DEATH SENTENCE MAY BE IMPOSED ON B.P. KOIRALA, BUT THAT, IF SO, IT WOULD IN ALL LIKELIHOOD BE COMMUTED.
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